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UNCLAS SECTION 01 OF 02 KABUL 000173

SIPDIS  
C O R R E C T E D   C O P Y   (T A G S   C H A N G E D )

SIPDIS, SENSITIVE

STATE FOR SCA/FO (GASTRIGHT), SCA/A, S/CRS, SCA/PB,  
STATE/INL (SCHWEICH), S/CT, EUR/RPM  
STATE PASS TO USAID FOR AID/ANE, AID/CDHA/DG  
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CENTCOM FOR CG CFC-A, CG CJTF-76, POLAD

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TAGS: [PGOV](#) [PREL](#) [KJUS](#) [PTER](#) [KCRM](#) [AF](#)  
SUBJECT: AMBASSADOR DISCUSSES RULE OF LAW CONFERENCE  
WITH ITALIAN DEPUTY FOREIGN MINISTER

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11. (U) SUMMARY: The Ambassador and Embassy Rule of Law (ROL) Coordinator met January 15 with Italian Ambassador Sequi and a delegation from Rome led by Italian Deputy Foreign Minister Vernetti. The meeting produced an agreement that the upcoming Rome ROL Conference would be held in April with an agenda focused on core ROL issues. Planning for the conference would be driven from Kabul and by the GOA. The Ambassadors also exchanged views on steps to encourage reform of the Afghan judicial system, including the need for better cooperation between senior officials. END SUMMARY.

Plans for Rome ROL Conference

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12. (U) On January 15, 2007, the Ambassador and the Rule of Law Coordinator met at the Italian Embassy with Italian Ambassador Sequi and with a delegation from Rome led by Deputy Foreign Minister Vernetti. The delegation included Anna Della Croce, Special Envoy for Afghanistan. The purpose of the meeting was to discuss plans for the upcoming Rule of Law Conference that will be hosted by Rome.

13. (U) Vernetti confirmed the conference would be held in April (after Easter) and will last two days. The Ambassador agreed that it was helpful for Italy to be in the lead, as opposed to the U.S., and that the conference should be Afghan and Kabul-driven. Italy will be establishing a conference working group in the next few days. The Ambassador promised U.S. support.

¶ 4. (SBU) Asked whether the conference should include counter-narcotics and security issues, or a discussion of transitional justice, the Ambassador encouraged Italy to focus the agenda on justice institution reform and core ROL issues. (NOTE: Despite this conversation, a subsequent news story stated that Italy announced the conference will cover justice, security, human rights, and counter-narcotics. The Embassy has learned that NSA Rassoul requested that security be a major topic at the conference. While DFM Vernetti was apparently receptive to the idea at first, both Rome and Italy have subsequently confirmed the previous understandings about the focus of the conference on the justice sector. The Italian Ambassador will be informing NSA Rassoul of this fact shortly. It is envisioned by the GOI that sub-topics could include the connections between drugs and ROL and police-prosecutor interaction. END NOTE.) DFM Vernetti also expressed an interest in including discussion of the interplay of secular, sharia and customary law. The Ambassador responded that this was a longstanding issue that the Afghans would have to address.

¶ 5. (U) The Ambassador agreed on the value of a concrete action plan for the conference and for specific outcomes. They concurred it will be useful to gain clarification on areas of agreement and disagreement among donors as to how to engage with the Afghanistan's ROL ministries and on what basis (e.g. current reform plans of the Chief Justice or others). Areas of disagreement can be solved in the JCMB and Tea Club mechanisms.

¶ 6. (U) With respect to conference attendance, no

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specific groups or countries were mentioned, but the Ambassador said that those invited should be current donors or be willing to commit as new donors. Vernetti expressed the view that there should be high-level representation for the opening and closing of the conference, particularly from foreign ministries, although others would be involved in conference proceedings. He pressed for high level US attendance.

¶ 7. (U) The Italians did not raise the issue of Brahimi's involvement, and it was not discussed. (Note: The Embassy has learned that his assistance is sought by Ms. Della Croce personally and is not a policy position of the GOI. The Ambassador's view is that the decision should be left in the hands of the GOA. Separately, Ambassador Neumann spoke with President Karzai about Brahimi. Karzai said he would welcome Brahimi's help in organizing the ROL conference, but not as a long-term figure in the justice sector, unless Brahimi plans on spending significant amounts of time in Kabul. End Note.)

Encouraging Afghan Legal Reform

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¶ 8. (SBU) The Ambassador stressed the importance of encouraging Chief Justice Azimi and Attorney General Sabit to work cooperatively with one another. At this juncture, it is important that the Supreme Court ensure open and fair trials and appropriate sentences, while Sabit must secure trials and convictions, rather than simply arrests. The Italians agreed with this approach and with advancing it broadly with a unified international position. The Ambassador also stressed that while juridical solutions to crime and corruption were necessary in reforming the GOA, they were not sufficient, and that equally important was changing the societal view of corruption and public service.

¶ 9. (U) Agreeing that salaries for judges and prosecutors remain too low, the Ambassador expressed the concern that salary supplementation programs can be counter-productive if they do not have long-term funding. He supported Ambassador Sequi's idea to provide more perquisites such as better housing for judges, which is a recommendation addressed in the Supreme Court's 5-year plan. No final position was adopted.

NEUMANN